

REMARKS

Claim 1 has been amended. Claims 1-7, 10 and 11 are pending and under consideration. No new matter is presented in this Amendment. Claims 1 and 10 are the independent claims.

DOUBLE PATENTING:

Claims 1-3 and 10-11 are provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of copending Application No. 10/735,850.

Since claims 1-3, 10 and 11 of the instant application have not yet been indicated as allowable, it is believed that any submission of a Terminal Disclaimer or arguments as to the non-obvious nature of the claims would be premature (see MPEP 804).

As such, it is respectfully requested that Applicants be allowed to address any provisional obviousness-type double patenting issues remaining once the rejections of the claims under 35 U.S.C. §101 and 102 are resolved.

Claims 4-7 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of copending Application No. 10/735,850 in view of Nakai et al. (U.S. Patent No. 5,999,698).

Since claims 4-7 of the instant application have not yet been indicated as allowable, it is believed that any submission of a Terminal Disclaimer or arguments as to the non-obvious nature of the claims would be premature (see MPEP 804).

As such, it is respectfully requested that Applicants be allowed to address any provisional obviousness-type double patenting issues remaining once the rejections of the claims under 35 U.S.C. §101 and 102 are resolved.

Claims 1-3 and 10-11 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of copending

Application No. 10/735,823.

Since claims 1-3, 10 and 11 of the instant application have not yet been indicated as allowable, it is believed that any submission of a Terminal Disclaimer or arguments as to the non-obvious nature of the claims would be premature (see MPEP 804).

As such, it is respectfully requested that Applicants be allowed to address any provisional obviousness-type double patenting issues remaining once the rejections of the claims under 35 U.S.C. §101 and 102 are resolved.

Claims 4-7 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of copending Application No. 10/735,823 in view of Nakai et al. (U.S. Patent No. 5,999,698).

Since claims 4-7 of the instant application have not yet been indicated as allowable, it is believed that any submission of a Terminal Disclaimer or arguments as to the non-obvious nature of the claims would be premature (see MPEP 804).

As such, it is respectfully requested that Applicants be allowed to address any provisional obviousness-type double patenting issues remaining once the rejections of the claims under 35 U.S.C. §101 and 102 are resolved.

REJECTIONS UNDER 35 U.S.C. §101:

Claims 1-7 are rejected under 35 U.S.C. §101, because the claimed invention is directed to non-statutory subject matter.

Regarding the rejection of independent claim 1, it is noted that claim 1 has been amended to recite that the information storage medium is used in a recording and/or reading apparatus. Therefore, Applicants respectfully assert that claim 1, as amended, clearly provides a functional relationship with the apparatus.

As such, claim 1 is considered functional descriptive material. Accordingly, it is respectfully submitted that claim 1 is properly considered statutory subject matter within the meaning of 35 U.S.C. §101, and respectfully request that the rejection of independent claim 1 be withdrawn. Claims 2-7 are deemed patentable due at least to their dependency from

corresponding claim 1.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1-7 and 10-11 are rejected under 35 U.S.C. §102(b) as being anticipated by Nakai et al. (U.S. Patent No. 5,999,698).

Regarding the rejection of independent claim 1, it is noted that claim 1 recites an information storage medium for use in a recording and/or reproducing apparatus, the information storage medium storing multi-angle motion picture data corresponding to a motion picture, comprising: clip audio-video (AV) streams corresponding to motion picture data for different angles; and clip information corresponding to the clip AV streams wherein each unit of the clip information comprises an entry point map comprising information on entry points of a corresponding one of the clip AV streams for random access, and information on whether each of the entry points is an angle change point through which the motion picture is reproduced from one angle to another angle, wherein the clip information is provided in a separate area from that of the motion picture data.

The Office Action relies on Nakai for the teachings of independent claim 1 and in particular states that Fig. 36 shows an entry point map because the address of destination is also an entry point.

The Office Action also states that Nakai teaches that all of the addresses of destination are angle change points, thus meeting the claimed feature of providing information regarding whether each of the entry points is an angle change point through which the motion picture is reproduced from one angle to another angle.

Applicants respectfully traverse such assertions for at least the following reasons.

As noted above, the Office Action states that the address of destination is an entry point and also an angle change point. In other words, the Office Action states that all entry points are angle change points.

Contrary to Nakai, independent claim 1 recites providing information regarding whether each of the entry points is an angle change point. In other words, the information is provided in order to determine which of the entry points are angle change points since not all of the entry

points are angle change points.

Furthermore, Applicants respectfully assert that Nakai does not teach entry points at all. The SML_AGLI taught by Nakai in Fig. 36 simply relates to information on the location of the interleaved points, and does not correspond to the entry points for random access (see Fig. 9 of the present application), as recited in the independent claim. Therefore, Nakai cannot teach or suggest information of whether each of the entry points is an angle change point, since Nakai does not teach entry points at all.

Additionally, Applicants note that claim 1 also recites that the clip information is provided in a separate area from that of the motion picture data. However, in Nakai, the NV_PCK and the group of packs illustrated in Fig. 33 and relied upon in the Office Action, are all included in the VOB. Therefore, Nakai does not teach or suggest that the clip information is provided in a separate area from the motion picture data. Rather Fig. 33 and Fig. 11 of Nakai appear to correspond to Fig. 8 of the present invention described in the related art.

Accordingly, Applicants respectfully assert that the rejection of claim 1 under 35 U.S.C. § 102(b) should be withdrawn because Nakai fails to teach or suggest each feature of independent claim 1.

Regarding the rejection of independent claim 10, it is noted that claim 10 recites some substantially similar features as claim 1. Thus, the rejection of this claim is also traversed for similar reasons as those set forth above.

Furthermore, Applicants respectfully assert that dependent claims 2-7 and 11 are allowable at least because of their dependency from claims 1 and 10, and because they include additional features which are not taught or suggested by the prior art. Therefore, it is respectfully submitted that claims 2-7 and 11 also distinguish over the prior art.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 7/30/08

By: Douglas X. Rodriguez
Douglas X. Rodriguez
Registration No. 47,269

1400 Eye St., NW
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510